

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Under 37 CFR 1.97(b) or 1.97(c)

Docket No.
19162

In Re Application Of: Katsutoshi Takahashi, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/549,587	March 23, 2006	David A. Vanore	23389	2881	1173

Title:

MASS SPECTROMETRY SYSTEM AND METHOD FOR ANALYSIS

Address to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

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Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of _____
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- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

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October 25, 2007
(Date)

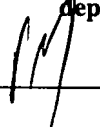
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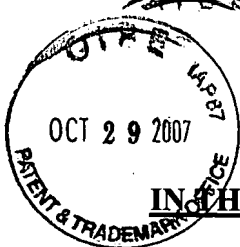
Dated: **October 25, 2007**



Signature

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Katsutoshi Takahashi, et al. **Examiner:** David A. Vanore
Serial No.: 10/549,587 **Art Unit:** 2881
Filed: March 23, 2006 **Docket:** 19162
For: MASS SPECTROMETRY SYSTEM **Dated:** October 25, 2007
AND METHOD FOR ANALYSIS

Confirmation No.: 1173

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Japanese Patent Publication No. 2003-503715, published January 28, 2003, (corresponding to PCT International Publication No. WO 01/02093 A2, which was previously submitted in an IDS dated September 13, 2005); and
2. Japanese Unexamined Patent Publication No. 04-040367, published February 10, 1992, together with an English-language abstract.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

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Dated: October 25, 2007



Paul J. Esatto, Jr.

The references were cited in an Official Action dated September 25, 2007 received from the Japanese Patent Office. Applicants are submitting a copy of the above-cited references required under 37 C.F.R. §1.98 (a)(2)(i) and (ii), the Official Action, and an English translation of the Examiner's comments regarding the reference from the Official Action. Please note that the other references cited in the Action, namely, Japanese Patent Application Laid-Open No. 2001-264297, published September 26, 2001, Fukui K. et al., "ESI-FTICR MS with Infrared Multiphoton Dissociation: Analysis of Fragmentation of Peptides", *Proceedings of the 50th ASMS Conference on Mass Spectrometry and Allied Topics* (2002); PCT International Publication No. WO 02/068952 A1, published September 6, 2002; PCT International Publication No. WO 00/15321, published March 23, 2000; Japanese Patent Publication No. 2002-311007, published October 23, 2002; Japanese Patent Publication No. 63-318061, published December 26, 1988; and Japanese Patent Publication No. 2002-365177, published December 18, 2002 were previously cited in Applicant's Information Disclosure Statement filed on September 13, 2005, and therefore a copy of these references are not provided. (Please note that a typographical error occurred under no. 7 of the Information Disclosure Statement filed on September 13, 2005, in that WO 99/15321 should be WO 00/15321. A corrected PTO-1449 is enclosed for your reference.)

In compliance with the requirements of 37 C.F.R. §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an official action by a foreign examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent

analysis of the references, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of that country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted herewith.

The undersigned attorney hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Further, inasmuch as this Information Disclosure Statement is also being submitted in accordance with the schedule set out in 37 C.F.R. §1.704(d), a statement is attached.

Respectfully submitted,



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Examiner: David A. Vanore

Serial No.: 10/549,587

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Commissioner for Patents
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STATEMENT PURSUANT TO 37 C.F.R. §1.704(d)

Sir:

I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

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Dated: October 25, 2007



Paul J. Esatto, Jr.

Therefore, this Information Disclosure Statement cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c) (8), (c) (9), or (c) (10) of 37 C.F.R. §1.704.

Respectfully submitted,



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